

CHAPTER 186  
SANITARY SEWER DISTRICTS

H. F. 460

An Act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to self-liquidating improvements of cities and towns and sanitary sewer districts.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That section three hundred ninety-four point one  
2 (394.1), Code 1950, is hereby amended by inserting between the word  
3 "equip," and the word "operate" in line four (4) the following: "ex-  
4 tend and improve,".

1 SEC. 2. That section three hundred ninety-four point one (394.1),  
2 Code 1950, is hereby amended by striking from lines seven (7) and  
3 eight (8) thereof the words "a sewage treatment plant or plants, with  
4 all appurtenances necessary," and inserting in lieu thereof the words  
5 "works and facilities".

1 SEC. 3. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after its publication in The Rem-  
3 brandt Booster, a newspaper published in Rembrandt, Iowa, and in  
4 the O'Brien County Bell, a newspaper published in Primghar, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 460, was published in The Rembrandt Booster, Rembrandt, Iowa, April 16, 1953, and in the O'Brien County Bell, Primghar, Iowa, April 15, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 187  
MUNICIPAL FLOOD CONTROL

S. F. 118

AN ACT to repeal section three hundred ninety-five point twenty-five (395.25), Code 1950, and to enact a substitute section in lieu thereof and to amend section thirty-seven (37) of chapter one hundred fifty-one (151) and section eight (8) of chapter one hundred fifty-nine (159) of the Laws of the Fifty-fourth General Assembly of the state of Iowa, all relating to municipal flood control systems and the issuance of bonds and levy of taxes therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred ninety-five point twenty-five  
2 (395.25), Code 1950, is hereby repealed and the following is enacted  
3 in lieu thereof:

4 "Cities and towns are hereby authorized to contract indebtedness  
5 and to issue general obligation bonds to provide funds for the payment  
6 of the cost of improvements contemplated by this chapter by following  
7 either of the following procedures:

8 Proceedings for the issuance of said bonds may be initiated by the  
9 governing body of the municipality without an election pursuant to  
10 notice and hearing as prescribed by section twenty-three point twelve

11 (23.12), Code 1950, or the governing body of the municipality may  
12 call a special election to vote upon the proposition of issuing said bonds  
13 or may submit the proposition as a special question at a regular munic-  
14 ipal election. Notice of such election shall be given in the manner pre-  
15 scribed in section thirty-seven point four (37.4), Code 1950, and if the  
16 vote at said election in favor of the issuance of such bonds is equal to  
17 at least sixty percent (60%) of the total vote cast for and against the  
18 proposition at said election, the governing body of the municipality  
19 shall issue the bonds and make provisions for the payment thereof as  
20 hereinafter provided.

21 Taxes for the payment of said bonds shall be levied in accordance  
22 with chapter seventy-six (76), Code 1950, and said bonds shall be pay-  
23 able through the debt service fund in not more than twenty (20) years,  
24 and bear interest at a rate not exceeding five percent (5%) per annum,  
25 and shall be of such form as the city or town council shall by resolution  
26 provide, but no city or town shall become so indebted in an amount  
27 which, together with all other indebtedness of said municipality, shall  
28 exceed five percent (5%) of the actual value of the taxable property  
29 within said city or town as shown by the last state and county tax lists  
30 previous to incurring such indebtedness. The indebtedness incurred  
31 for the purpose herein provided shall not be considered an indebted-  
32 ness incurred for general or ordinary purposes within the meaning  
33 and application of section four hundred seven point one (407.1), Code  
34 1950, and shall not be charged against or counted as part of the one  
35 and one-fourth percent (1¼%) available for general or ordinary pur-  
36 poses until the other three and three-fourths percent (3¾%) of the  
37 five percent (5%) of indebtedness permitted by statute has been ex-  
38 hausted.

39 This section shall be construed as granting additional power with-  
40 out limiting the power already existing in cities and towns.

41 The provisions of this section shall be applicable to all municipal  
42 corporations regardless of form of government or manner of incor-  
43 poration.

1 SEC. 2. Section thirty-seven (37) of chapter one hundred fifty-one  
2 (151) of the Laws of the Fifty-fourth General Assembly of the State  
3 of Iowa is hereby amended as follows:

4 1. By striking from lines five (5), six (6) and seven (7) thereof the  
5 words "after the election provided for in this chapter has been held,  
6 and without again submitting the matter at an election,";

7 2. By striking from line thirteen (13) thereof the words "this chap-  
8 ter" and inserting in lieu thereof the words and figures "section three  
9 hundred ninety-five point twenty-two (395.22)";

10 3. By striking from line twenty (20) thereof the words "this chap-  
11 ter" and inserting in lieu thereof the words and figures "section three  
12 hundred ninety-five point twenty-two (395.22)";

13 4. By substituting a period for the semicolon in line twenty-three  
14 (23) thereof and striking the balance of said section.

1 SEC. 3. Section eight (8) of chapter one hundred fifty-nine (159)  
2 of the Laws of the Fifty-fourth General Assembly of the State of Iowa  
3 is hereby amended by striking all of lines eleven (11) and twelve (12)  
4 thereof and inserting in lieu thereof the following:

5 "5. To maintain and operate the improvements authorized by chap-

6 ter three hundred ninety-five (395), Code 1950, and in lieu of the  
7 taxes provided in section three hundred ninety-five point twenty-two  
8 (395.22), Code 1950, relating to flood protection."

1 SEC. 4. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after its publication in The Telegraph  
3 Herald, a newspaper published in Dubuque, Iowa, and in the Dyersville  
4 Commercial, a newspaper published in Dyersville, Iowa.

Approved February 12, 1953.

I hereby certify that the foregoing Act, Senate File 118, was published in The Telegraph Herald, Dubuque, Iowa, February 20, 1953, and in the Dyersville Commercial, Dyersville, Iowa, February 18, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 188

### SEWER BONDS

#### H. F. 461

An Act to amend section three hundred ninety-six point twenty-two (396.22), Code 1950, as amended, relating to the issuance of bonds for sewers, sewer outlets and purifying plants.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That section three hundred ninety-six point twenty-  
2 two (396.22), Code 1950, as amended, is hereby amended by inserting  
3 between the word "constructing" and the word "sewers" in line nine  
4 (9) the following: ", extending and improving,".

1 SEC. 2. That section three hundred ninety-six point twenty-two  
2 (396.22), Code 1950, as amended, is hereby amended by inserting be-  
3 tween the word "constructing" and the word "sewers" in line twenty-  
4 four (24) the following: ",extending and improving,".

1 SEC. 3. This Act being deemed of immediate importance shall take  
2 effect and be in force from and after its publication in The Sheldon  
3 Sun, a newspaper published in Sheldon, Iowa, and in The Guttenberg  
4 Press, a newspaper published in Guttenberg, Iowa.

Approved April 7, 1953.

I hereby certify that the foregoing Act, House File 461, was published in The Sheldon Sun, Sheldon, Iowa, April 13, 1953, and in The Guttenberg Press, Guttenberg, Iowa, April 16, 1953.

MELVIN D. SYNHORST, *Secretary of State.*